

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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COLUMBIA GAS TRANSMISSION CORPORATION,

DEMANDS FOR DISCLOSURE

Plaintiff,

Index No. 07 CV 136

-against-

RANDY SAUSCHUCK and BARBARA SAUSCHUCK.

Defendants.

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TO: PLAINTIFF

PLEASE TAKE NOTICE that pursuant to Rule 3120 and other applicable provisions of the CPLR, TARSHIS, CATANIA, LIBERTH, MAHON & MILLIGRAM, PLLC, attorneys for the defendants RANDY SAUSCHUCK and BARBARA SAUSCHUCK, demand that you respond to the following demands for disclosure attached hereto and made a part hereof at the offices of TARSHIS, CATANIA, LIBERTH, MAHON & MILLIGRAM, PLLC, One Corwin Court, P.O. Box 1479, Newburgh, New York 12550 on February 20, 2007 at 10:00 A.M. to wit:

DEMAND FOR STATEMENTS, WITNESSES, PHOTOGRAPHS & ACCIDENT REPORTS; and

DEMAND FOR EXPERT IDENTITY-PURSUANT TO FRCP 26(a)(2).

All the within demands are to continue during the pendency of this action including trial. If any of the items or information becomes available subsequent to the service of this demand, they are to be furnished at that time to the undersigned pursuant to such demands and CPLR §3101(h). If the item or information demanded is not available to you, not presently known, nor under your custody and control, so state in response to this demand.

All responses must be in writing and verified by the party making

such response.

Dated: Newburgh, New York
January 25, 2007

Yours, etc.,

TARSHIS, CATANIA, LIBERTH, MAHON
& MILLIGRAM, PLLC

By:

RICHARD F. LIBERTH, ESQ. (RFL-0316)
Attorneys for Defendants
RANDY SAUSCHUCK and BARBARA
SAUSCHUCK
One Corwin Court
P.O. Box 1479
Newburgh, New York 12550
Tel. No. (845) 565-1100

TO: REED SMITH, LLP
Scott S. McKessy (SM-5479)
Attorneys for Plaintiff
Columbia Gas Transmission Corporation
599 Lexington Avenue
New York, New York 10022
Tel. No. (212) 521-5400

STATEMENTS, WITNESSES, PHOTOGRAPHS & ACCIDENT REPORTS
PURSUANT TO FRCP 26

Request is made for the following:

1. Copies of all statements, recordings, abstracts of recordings, investigators' summaries of statements, writings, photographs, video tapes and/or films taken by or on behalf of the plaintiff from or of this demanding party.
2. The name, address and telephone number of each individual likely to have discoverable information relevant to the disputed facts alleged with particularity in the pleadings.
3. The names and addresses of all persons claimed or believed to have witnessed the following:
 - (a) the accident or occurrence or to have first hand knowledge of the same or the facts and circumstances regarding the occurrence;
 - (b) any other acts or omissions claimed to constitute the negligence of any party;
 - (c) any acts or omissions pertaining to the damage suffered or incurred by any party as a result of the negligence of any other party;
 - (d) any facts or circumstances alleged to have constituted actual or constructive notice to any party of the condition alleged to have caused the claimed injuries or damages;
 - (e) the making of any statements or admissions of this demanding party bearing on the issues of negligence, contributory negligence and culpable conduct of any party hereto;
 - (f) the name and address of any person claiming actual notice to the defendant of any condition which allegedly caused the condition complained of;
 - (g) if a claim for loss of services is made, set forth the names and addresses of any person hired to perform services in the place of each plaintiff.
4. Original photographic or video reproduction of each photograph or video tape or duplicate thereof, taken of the situs of the accident or occurrence, the instrumentality involved or the physical condition of the plaintiff after the accident or occurrence.
5. At least 30 days before trial, identification of those witnesses whom the party expects to present at trial and those whom the party may call if the need arises.

6. Any written report concerning the accident which is the subject matter of this lawsuit prepared in the regular course of business operations or practices of any person, firm, corporation, association or other public or private entity.

TO: PLAINTIFF

FEDERAL RULE OF CIVIL PROCEDURE 26(a)(2)

PLEASE TAKE NOTICE that you are hereby required to serve upon the undersigned a statement disclosing in reasonable detail the following information regarding each person you expect to call as an expert witness at the trial of this action:

1. The name and address of the witness.
2. The area of expertise of the witness.
3. The qualifications of the witness, including:
 - (a) colleges and universities attended and degrees earned, if any, including dates of attendance;
 - (b) all states in which the expert has been licensed;
 - (c) any professional certifications, including dates thereof;
 - (d) all current professional society memberships;
 - (e) all current hospital staff appointments;
 - (f) all internships, residencies and fellowships, including location and dates;
 - (g) all publications, including title, journal or text and date of publication;
 - (h) whether the expert's license has ever been suspended, revoked or otherwise restricted or limited.
4. A complete statement of all opinions to be expressed and the basis and reasons therefore; with a signed written report.
5. The data and/or information considered by the witness in forming such opinions.
6. Any exhibits to be used as a summary or support for the opinions.
7. The compensation to be paid for the study and testimony.
8. A complete list of any other cases in which the witness has testified as an expert at trial or by deposition within the past (4) four years; and publications within the past (10) ten years.

PLEASE TAKE FURTHER NOTICE that this demand is a continuing demand and objection will be taken and a preclusion order sought regarding the expert opinion testimony of any witness not identified

as demanded herein.

TO: PLAINTIFF